

REMARKS

Claims 19-23 and 28-38 are pending in the application.

Claim 19 has been amended.

Claim 1-18 and 24-27 have been cancelled without prejudice or disclaimer.

Claim 28-38 have been newly added and present no new matter. In addition, Claims 28-38 are well supported in the specification. Independent claim 28 is supported entirely by the specification of priority patent 6,889,098 and so is entitled to the filing date of August 10, 1999.

Reconsideration of the rejections and objections set forth in the Office Action dated January 10, 2006 is respectfully requested.

Claim Rejection - 35 U.S.C. § 102

Claims 1-16 and 19-22 are rejected as being anticipated by Waytena et al., U.S. Patent No. 5,978,770. Claims 1-18 and 24-27 have been canceled, and therefore the rejections to these claims are moot. Applicants respectfully traverse these rejections insofar as they apply to Claims 19-23.

The Office Action fails to state a *prima facie* case of anticipation against independent Claim 19. The Office Action does not identify any of the elements of claim 19, i.e., “establishing a first queue...”, “establishing a second queue...”, “receiving from a patron a priority request for allocation of time of entry into the second queue...”, etc. For this reason it is respectfully requested that the rejection of claim 19, and claims 20 and 22 that depend from claim 19 under 35 U.S.C. § 102 be withdrawn.

Claim Rejection 35 U.S.C. § 103

Claims 21 and 23 are rejected as being unpatentable over Waytena et al., in view of Croughwell et al., U.S. Patent No. 5,966,654. Claims 20-23 depend on Claim 19. The rejection

under 35 U.S.C. 103 fails to point out where each element of claims 21 and 23, including the limitations presented in independent claim 19, are to be found in the references. Accordingly, the Office Action fails to state a *prima facie* case of obviousness and the rejections of Claims 20-23 should be withdrawn.

New Claims

This amendment presents new Claims 28-38. All of the elements of Claims 28-38 are well supported in the original as-filed application and do not present new matter. Moreover, claim 28 is fully supported by the priority patent 6,889,098. In addition, neither Waytena et al. nor Croughwell et al. disclose permitting the patron to access to the attraction when the patron presents a display of the media for validation as called for in independent Claim 28. Therefore, Claim 28 and claims 29-36 that depend from Claim 28 are patentable over Waytena et al. and Croughwell et al. individually and in combination.

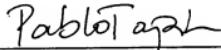
Furthermore, newly introduced Claims 37 and 38 depend from Claim 19, and therefore Claims 37 and 38 are patentable over Waytena et al. or the combination of Waytena et al. and Croughwell et al.

Conclusion

Applicants have complied with all requirements made in the above referenced communication and submit that the claims are in condition for allowance. Accordingly, applicants respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned agent.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number **50-2638**. Please ensure that Attorney Docket Number 58085-010201 is referred to when charging any payments or credits for this case.

Respectfully submitted,



Pablo Tapia
Reg. No. 52,275

Customer Number 46560
GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Phone: (310) 586-6512
Fax: (310) 586-7800
E-mail: tapiap@gtlaw.com
laipmail@gtlaw.com

LA-FS1\405437v02